

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-001762

05/18/2018

HON. RANDALL H. WARNER

CLERK OF THE COURT
K. Ballard
Deputy

CARLOS S TARAZON, et al.

v.

CERTAINTEED CORPORATION, et al.

KATHERINE E BAKER
BRAD D BLEICHNER
HOLLY DAVIES
JILL ANN HERMAN
DANIEL D MAYNARD
JEFFREY B MOLINAR
VINCENT J MONTELL
MICHAEL NEWSOME
6146 DIXILETA
CAVE CREEK AZ 85331
KEVIN E O'MALLEY
MICHAEL S RUBIN
DENNIS I WILENCHIK

STATUS CONFERENCE

Courtroom: ECB-912

10:07 a.m. This is the time set for a status conference. Appearances are all telephonic and are as follows:

- Third-Party Plaintiff City of Phoenix is represented by Counsel Jeffrey B. Molinar;

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- Third-Party Defendant Glenayre Electronics, Inc. is represented by Counsel Katherine E. Baker;
- Third-Party Defendant William Lyons Homes, Inc. is represented by Counsel Brad D. Bleichner;
- Third-Party Defendants KB Homes Holdings, Inc., Richard American Homes, Inc., and MDC/Wood, Inc. are represented by Counsel Holly P. Davies;
- Third-Party Defendant Elliott Homes, Inc. is represented by Counsel Jill Ann Herman;
- Third-Party Defendants CHI Construction Co. and Continental Homes are represented by Counsel Mark A. Fuller (appearing in place of Kevin E. O'Malley);
- Third-Party Defendants JNC, Inc. and UH Holdings, Inc. are represented by Counsel Daniel D. Maynard;
- Third-Party Defendant Los Paisanos Development, Inc. is represented by Counsel Rita J. Bustos (appearing in place of Vincent J. Montell); and
- Third-Party Defendants Del Webb Corporation and Pulte Home Corporation are represented by Counsel Michael S. Rubin.
- No other party is present or represented.

A record of the proceedings is made digitally in lieu of a court reporter.

The court has received Third-Party Defendants' May 7, 2018 Request for Telephonic Status Conference and the May 2, 2018 Notice of Lodging Proposed Scheduling Order.

Discussion is held regarding the Defendants' request to add the 2 issues referenced in the Request to the dispositive motions briefing schedule.

IT IS ORDERED granting the request for a 60-day extension to file the summary judgment motions.

IT IS FURTHER ORDERED granting the request to include in the summary judgment briefing the issue regarding the City's indemnity claims potentially being barred by the Arizona
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Statue of Repose, A.R.S. § 12-552, as set forth more fully in paragraph 6 of Defendants' May 7, 2018 Request.

IT IS FURTHER ORDERED denying the request to include the issue regarding evidence or lack thereof that Mr. Tarazon worked for any particular project developed by any of the Third-Party Defendants, as more fully set forth in paragraph 7 of Defendants' May 7, 2018 Request.

IT IS FURTHER ORDERED adopting the parties' revised deadlines, all in accordance with the formal written Joint Proposed Scheduling Order Re Expert Disclosure and Discovery signed by the court on May 18, 2018 and entered (filed) by the clerk on May 18, 2018.

Please note: The court has signed a paper copy of the order which was originally provided electronically. Therefore, copies of the order and self-addressed, stamped envelopes are not available for mailing to the parties. After the order has been scanned and docketed by the Clerk of Court, copies of this order will be available through the ECR online at www.clerkofcourt.maricopa.gov or through www.AZTurboCourt.gov and from the Public Access Terminals at the Clerk of Court's offices located throughout Maricopa County.

IT IS FURTHER ORDERED affirming the **in-person** complex case status/management conference set for **September 13, 2018 at 9:00 a.m.** (time allotted: **30 minutes**) in this division.

NOTE: Due to judicial rotations in June, **beginning June 25, 2018** Judge Pamela Gates will assume Judge Warner's civil calendar. Judge Gates will be located in the **East Court Building, Courtroom 912**. Telephone: 602-506-6391.

Counsel for CHI Construction Co. and Continental Homes requests an additional 2 weeks to file a response to any cross-motion and/or reply to the summary judgment motion. The court directs the parties to confer regarding this issue and provide the court with a revised summary judgment briefing schedule, if agreement can be reached.

10:24 a.m. Matter concludes.